



LOS ANGELES COUNTY

CONSUMER & BUSINESS AFFAIRS

Board of Supervisors

January 3, 2023

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To: Supervisor Janice Hahn, Chair
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Supervisor Lindsey P. Horvath
Supervisor Kathryn Barger

Director
Rafael Carbajal

From: Rafael Carbajal
Director

Chief of Staff
Joel Ayala

REPORT BACK ON IMPROVING IMMIGRANT ACCESS TO PUBLIC BENEFITS (ITEM NO. 4, AGENDA OF AUGUST 2, 2022)

On February 24, 2022, the U.S. Department of Homeland Security (DHS) issued a Notice of Proposed Rulemaking to clarify and more fairly apply the Public Charge test to noncitizens applying for lawful permanent residence ("green card") or requesting admission to the United States. Public Charge is a "test" that immigration officials use to evaluate and determine whether a noncitizen will be dependent on the government for support. The immigration official has discretion to deny the application if he or she concludes that the applicant will be dependent on government support, as specified by the Public Charge Rule.

The proposed new Public Charge Rule went into effect on December 23, 2022, strengthening protections for immigrants seeking access to critical support services offered by the County of Los Angeles (County) and public agencies throughout the country. The new rule clarifies which programs and resources may or may not be considered in a Public Charge test. This rule change allows immigrants and their families to utilize critical support services like housing, nutrition, and health care programs without concern about their immigration status. This is particularly important considering California's recent expansion of Medi-Cal to all income-eligible persons who are 50 years of age or older, regardless of immigration status.

Unfortunately, many immigrants throughout our communities are still afraid to use much needed resources to recover from the pandemic due to Public Charge concerns. This "chilling effect" has severely damaged the health and wellbeing of our immigrant communities. Researchers from the University of



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California Los Angeles (UCLA) ¹recently found that one out of four low-income immigrants in California reported avoiding public programs out of fear that participating would negatively impact their own immigration status or that of a family member. Researchers also found evidence that avoiding public benefit programs was associated with adverse health outcomes, including higher food insecurity and greater uninsured rates. [The Migration Policy Institute analyzed American Community Survey](#) ² data from 2016 through 2019 and found that participation in Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), and Medicaid declined far more rapidly for noncitizens than U.S. citizens. More alarmingly, the share of children receiving benefits under TANF, SNAP, and Medicaid fell about twice as fast among U.S. citizen children with noncitizen household members as it did among children with only U.S. citizens in their household. Results of a survey conducted by the Protecting Immigrant Families Coalition in September 2021 showed that only 22 percent of immigrant families were well informed of the public charge rule reversal by the Biden Administration, and 30 percent were completely unaware.

The County is home to the largest immigrant population in any region in the United States. Immigrants represent more than one third of the County's 10 million residents and they are deeply integrated into nearly all aspects of County life. Immigrants make up 44 percent of the County's workforce, run small businesses that generate 40 percent of the County's self-employed income, and nearly 60 percent of all County-born children have at least one immigrant parent. The County is responsible for the wellbeing of all its residents, including immigrants and their families, by ensuring that they have equitable access to available public support services.

Therefore, on August 2, 2022, your Board:

1. Directed the Office of Immigrant Affairs (OIA) in the Department of Consumer and Business Affairs; the departments of Public Social Services (DPSS), Health Services (DHS), and Public Health (DPH); the Los Angeles County Office of Education; and other impacted County departments and external stakeholders, to create and execute a communication and outreach plan to ensure that all County immigrant residents, including traditionally underserved Indigenous, Latino, Black, and AAPI immigrant communities, are aware of the new Public Charge Rule and are encouraged to access critical public benefits they or their family members are entitled to, including the expansion of Medi-Cal, the California Food Assistance Program, and cash-aid, such as CalWORKs for mixed-status families.

¹ https://latino.ucla.edu/wp-content/uploads/2021/08/LPPI_Foregoing-Healthcare-in-a-Global-Pandemic_04.07.2021.pdf

² <https://www.migrationpolicy.org/news/anticipated-chilling-effects-public-charge-rule-are-real>

2. Directed DPSS, in consultation with OIA and County Counsel, to:
 - a. Assess DPSS staff readiness to serve immigrant populations and their eligibility for DPSS-provided support services in a linguistically, culturally, and immigration-adequate manner.
 - b. Issue guidance to the DPSS workforce in the form of trainings and call-outs to promote increased knowledge about benefits to which immigrants and their families are entitled.
 - c. Create and implement a training plan to DPSS workforce competency for new and existing employees related to immigrant eligibility for benefit programs, public charge concerns and misconceptions, and related barriers including sponsor deeming and collection policies.
 - d. Collaborate with advocates and CBOs in developing messaging for the community, and guidance and trainings for DPSS workers.
3. Directed OIA, in collaboration with DPSS, DHS, DPH, and County Counsel, to report back in 90 days in writing on progress toward directives 1 and 2, with subsequent quarterly progress reports through June 2023.
4. Directed the County Counsel to monitor any legal action aimed to challenge the final Public Charge rule and present recommendations to the Board to file or join in litigation to defend the new Public Charge rule.
5. Directed the Chief Executive Office to send a five-signature letter to the Secretary of DHS acknowledging the positive policy direction reflected in the Notice of Proposed Rulemaking (NPRM) on February 24, 2022 and encouraging close collaboration between the federal and local government, as well as CBO stakeholders, to ensure effective implementation and extensive community outreach upon publication of the final Public Charge Rule.
6. Directed Los Angeles County's CalSAWS representatives to advocate for LA County consumers and ensure improvements to BenefitsCal, including providing materials in threshold languages and enhancing access.

Since then, OIA, DPSS, DHS, DPH, DCFS and other impacted departments have formed a Public Benefits Enrollment Workgroup (PBEW) to work closely among themselves and with external stakeholders to implement your directives. Below is a summary of important actions the PBEW has conducted. And as requested by your Board, the PBEW will provide you with 90-day status reports on March 30, 2023 and June 30, 2023 that will detail the progress for each directive and proposed outcome.

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If you have any questions or need additional information, please contact me or Rigoberto Reyes, OIA's Executive Director, at (213) 247-1365 or rreyes@dcba.lacounty.gov.

RC:JA:RR
DS:EV:ph

Enclosure

c: Executive Office, Board of Supervisors
 Chief Executive Office
 County Counsel
 Children and Family Services
 County Office of Education
 Health Services
 Public Health
 Public Social Services

I. OUTREACH AND EDUCATION	
Task:	Activities:
1. Enroll eligible people in full-scope Medi-Cal.	<p>Notes: Effective May 1, 2022, over 137,000 individuals in LA County age 50 and older were transitioned from “emergency” Medi-Cal to full-scope Medi-Cal, regardless of immigration status, which created an opportunity for the County to help them enroll and retain/secure a health care provider.</p> <p>Activities – DPSS: Activities have included:</p> <ul style="list-style-type: none"> ✦ 30 bus shelter posters, averaging 74,730 impressions per week. ✦ 50 surface street billboards, averaging 117,957 impressions per billboard per week. ✦ Five digital bulletins, averaging 761,162 impressions per billboard per week. ✦ 1,780,411 outbound calls and 1,189,980 text messages encouraging beneficiaries to update their current contact information with DPSS. <p>Activities – DHS: Activities have included:</p> <ul style="list-style-type: none"> ✦ Identified that 60,472 individuals enrolled in the My Health LA Program were eligible to transition to full-scope Medi-Cal. ✦ Through outreach activities (direct phone calls, mailers, etc.) ensured that 50,986 individuals (84% of total) enrolled in full-scope Medi-Cal by August 1, 2022. ✦ Continues reaching to the remaining 9,486 former My Health LA clients who are eligible to enroll in full-scope Medi-Cal to encourage enrollment. Efforts included making direct calls in English and Spanish that successfully reached 3,858 individuals, mailing flyers in nine threshold languages to all 9,486 individuals, and including regular updates in the MHLA newsletter distributed to community partners. ✦ Participated in a project with the California Health Care Foundation on message testing for individuals eligible for the full-scope Medi-Cal expansion. ✦ Participated in monthly meetings with the California Department of Health Care Services and advocates to

	<p>promote enrollment and dispel Public Charge fears.</p> <p>Activities – OIA: Activities have included:</p> <ul style="list-style-type: none"> ✦ In consultation with County Counsel, created and maintained a Public Charge landing page on OIA's website for the public to access the most up-to-date information. ✦ Sept 21, 2022: Virtual Public Charge training workshops with the BAILA network for CBOs (separate English and Spanish workshops) – 286 participants. ✦ Oct 5, 2022: Virtual Public Charge training for the South Central Los Angeles Regional Center and CBO partners (English) – 65 participants. ✦ Oct 5, 2022: Virtual Public Charge training for the Maternal and Child Health Access community (Spanish) – 94 participants online – 52 participants. ✦ Dec 5, 2022: OIA-BAILA community presentation on public charge at Herald Christian Health Center in El Monte (Mandarin) – 85 participants. ✦ Dec 12, 2022: OIA-BAILA community presentation on public charge with Chinatown Service Center (Cantonese) 66 participants. ✦ Media coverage (English, Spanish, Chinese): <ul style="list-style-type: none"> • http://cms.wj411.com/preview/upload/information/htmlde tail/xq.html?wid=507212 • http://cms.wj411.com/preview/upload/information/htmlde tail/xq.html?wid=507212 • https://youtu.be/Y1R_DhuNv18 • https://www.youtube.com/watch?v=uVrn2C0sCAI • https://www.unecne.com/archives/185591 • https://www.ushealthlifestyle.com/archives/31006 • https://youtu.be/kbiZQGYC5hA • https://www.worldjournal.com/wj/story/121360/6837957 • https://www.youtube.com/watch?v=GkpGlsCThMs • https://www.chineseinla.com/hotnews/2417963.html • https://www.lapeople.com/news/m/147164.html <p>Activities – Upcoming:</p> <ul style="list-style-type: none"> ✦ Jan 2023: Training workshops for 2-1-1 and 3-1-1
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	<ul style="list-style-type: none"> ★ Feb 2023: OIA desk at Mexican Consulate ★ March 2023: OIA/DHS/DPSS to finish evergreen video clips ★ Spring 2023: OIA/DPSS Ethnic Media Campaign ★ Spring 2023: Care Harbor Community Fair – County Pavilion ★ Spring 2023: Univision Health Fair – County Pavilion ★ Spring 2023: OIA Health Fair with CHIRLA
II. TRAINING AND CAPACITY BUILDING:	
Task:	Activities:
2. Train impacted County departments and stakeholders on Public Charge and how to enroll immigrants in public benefits.	<ul style="list-style-type: none"> ★ OIA, in consultation with County Counsel and the PBEW and external stakeholders, developed a Public Charge training presentation that is being used to train departments and stakeholders, including: <ul style="list-style-type: none"> • Nov 17, 2022: Public Charge training for DPH contractors and systems navigators (English) – 205 participants. • Nov 17, 2022: Public Charge training for DPH contractors & systems navigators (Spanish) – 30 participants. • Dec 7, 2022: DPH-OIA public charge presentation for CBOs and community at large (English) – 137 participants. • Dec 7, 2022: DPH-OIA public charge presentation for CBOs and community at large (Spanish) – 38 participants. • Dec 14, 2022: OIA/CHIRLA/CARECEN – <i>Understanding the Immigration System</i> for LAHSA, subcontractors and other homelessness service providers (Part I) – 405 participants • Dec 15, 2022: OIA/CHIRLA/CARECEN – <i>Understanding the Immigration System</i> for LAHSA, subcontractors and other homelessness service providers (Part II) ★ Upcoming Training Activities: <ul style="list-style-type: none"> • Jan 2023: Training workshop for 2-1-1: <i>Understanding Public Charge and Immigrant Issues 101</i> • Feb 2023: Training workshop for 3-1-1: <i>Understanding Public Charge and Immigrant Issues 101</i> • Feb 2023: OIA-DHS to launch initiative within the

	<p><i>RepresentLA</i> Program to provide immigration legal representation to immigrants experiencing homelessness/ near homelessness so they have access to public benefits they are eligible for.</p> <ul style="list-style-type: none"> • March 2023: OIA to complete implementation of its \$5 million ARP-funded initiative to strengthen the capacity of immigrant-serving organizations to better serve their clients, including accessing support public services. • March 2023: OIA-DPSS-County Counsel: <i>Public Charge and Immigrant Issues 101 for DPSS Employees</i> • Spring 2023: OIA-ARDI to conduct a countywide inventory of support services available to immigrants, identify any barriers for immigrants to access such services, and implement/ recommend solutions to overcome such barriers. • Spring 2023: OIA-ARDI to complete initiative to strengthen equity in immigrants accessing County support services to assist them in recovering from the COVID-19 pandemic.
III. LEGISLATIVE AND ADVOCACY ACTIONS:	
Task:	Activities:
1. Five-Signature Letter to DHS	<ul style="list-style-type: none"> ★ Chief Executive Office to send a five-signature letter to the Secretary of DHS acknowledging the positive policy direction reflected in the Notice of Proposed Rulemaking (NPRM) on February 24, 2022 and encouraging close collaboration between the federal and local government, as well as CBO stakeholders, to ensure effective implementation and extensive community outreach upon publication of the final Public Charge Rule. • Status: Completed. Letter submitted on August 3, 2022.
2. Monitor that the new Public Charge Rule is adopted as proposed.	<ul style="list-style-type: none"> ★ County Counsel to monitor any legal action aimed to challenge the final Public Charge rule and present recommendations to the Board to file or join in litigation to defend it. • Status: Completed. The final Public Charge Rule went into effect on December 23, 2022. County Counsel continues to monitor legal actions aimed at challenging the rule.

<p>3. BenefitsCal enhancement</p>	<p>✦ The County’s CalSAWS representatives to advocate for LA County consumers and ensure improvements to BenefitsCal, including providing materials in threshold languages and enhancing access.</p> <ul style="list-style-type: none">• Status: <i>In progress</i>. To be completed in the Spring 2023.
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